

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of :
Hiroki YAMAMOTO : Confirmation No. 3549
U.S. Patent Application No. 10/705,228 : Group Art Unit: 1734
Filed: November 12, 2003 : Examiner: Kimberly Keil MCCLELLAND
:
For: **PROCESS AND APPARATUS TO ATTACH ELASTIC MEMBERS TO DISPOSABLE
WEARING ARTICLE BEING CONTINUOUSLY MANUFACTURED**

NOTICE OF APPEAL
FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

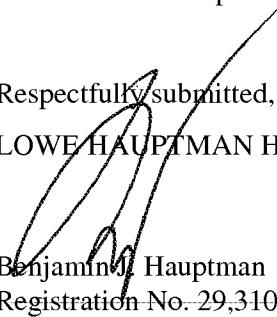
Sir:

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner finally rejecting claims 1-4, 6, 7, 9-19 and 23-27.

Appeal Fee:\$510.00

Not required (fee paid in prior appeal in this application).
 Credit Card Authorization via EFS
 Charge to Deposit Account No. 07-1337.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
LOWE HAUPTMAN HAM & BERNER, LLP

Benjamin J. Hauptman
Registration No. 29,310

1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111
(703) 518-5499 Facsimile
Date: September 11, 2008
BJH/tal